

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



June 9, 1992

ALL-COUNTY LETTER NO. 92-53

TO: ALL COUNTY WELFARE DIRECTORS
ALL PUBLIC & PRIVATE ADOPTION
AGENCIES
ALL SDSS ADOPTION DISTRICT
OFFICES

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☒ Initiated by SDSS

SUBJECT: PERIODIC REVIEW OF LONG-TERM FOSTER CARE PLACEMENTS AND
ADOPTABILITY REDETERMINATION

The purpose of this letter is to remind public child welfare service agencies and licensed public and private adoption agencies of existing statutory and regulatory requirements intended to maximize the adoption potential for children who would otherwise remain in long-term foster care. Agencies are requested to review current practices to assure that procedures are in place to insure compliance with existing requirements.

REVIEW OF LONG TERM-FOSTER CARE PLACEMENTS:

Welfare and Institutions (W&I) Code Section 366 requires the status of every child in foster care to be reviewed at least once every six months until the court orders the W&I Code Section 366.25 or 366.26 hearing. When the court has ordered long-term foster care for the child at the W&I Code Section 366.25 or 366.26 hearing to determine a permanent plan, agencies must meet continuing, periodic case review requirements specified in State statute and the Department's Manual of Policies and Procedures (MPP), Division 30, Section 30-442. For children adjudged dependents of the court prior to January 1, 1989, W&I Code Section 366.25 requires periodic court reviews to make a determination regarding the child's status. These reviews must be held no later than 18 months from the time of the child's original placement and periodically thereafter, but at least once every 18 months.

For children adjudged dependents of the court on January 1, 1989 and after, W&I Code Section 366.26 requires regular court reviews for children placed in long-term foster care. W&I Code Section 366.3 requires court reviews 18 months after the W&I Code Section 366.26 hearing and every 18 months thereafter. For every child placed in long-term foster care, W&I Code Section 366.3 also requires a review every six months conducted by the court or an appropriate local agency. These reviews must continue as long as the child remains in foster care. MPP, Division 30, Section 30-442 also requires the worker to visit the foster child at

least once every six months. In addition, agencies must meet the requirements of MPP, Section 30-444 regarding reassessments which must be conducted no less than once every six months.

The mandated periodic reassessments described above enable the child's case worker to take a close look at the on-going circumstances and needs of the child. MPP, Section 30-492 cites the purpose of the reviews as determining:

- o The continuing appropriateness of the placement;
- o The continuing appropriateness and extent of compliance with the permanent plan for the child;
- o The extent of compliance with the case plan;
- o The adequacy of services provided the child; and
- o A projection of the likely date by which the child may be returned home, placed for adoption or legal guardianship.

ADOPTABILITY REDETERMINATION:

Many times the circumstances of children in long-term foster care change in the time elapsed since their last review. When this occurs, the worker should give every consideration to changing the case plan goal from long-term foster care to a more appropriate goal. When the appropriate new goal is determined to be adoption, current law mandates agencies to have measures in place to bring about changes in management of the child's case to realize the goal. For children whose case plan goal has changed to adoption and their foster parents desire to adopt, the process of identifying an adoptive home is, many times, a simple one requiring only the completion of an adoption home study of the foster family. However, for children whose case plan goal has changed to adoption but for whom an adoptive home has not been identified, the agency is specifically required to utilize the Department's adoption photolisting services for children, along with other resources for locating prospective adoptive homes.

The Department has already notified public and private adoption agencies to review their current cases and take steps where necessary to come into compliance with the mandates in statute and regulation to list appropriate children in the State's photolisting album. Agencies are also encouraged to utilize adoption exchanges, adoption fairs, waiting child media programs and other community resources to enhance adoption opportunities for children currently in long-term foster care who may be suitable candidates for adoption.

If you have any questions on this subject, please contact the Adoptions Policy Bureau at the above address or (916) 322-4228 (ATSS 492-4228).



LOREN D. SUTER
Deputy Director

cc: CWDA